

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Claims 21-37 are currently pending in this Application with claims 1-20 being cancelled.

Additionally, Applicants submit a *Request for Continued Examination* in response to the *Final Office Action* mailed September 21, 2005, in order to allow the Examiner to further search and consider the pending claims as amended herein.

Prior to the filing of the present *Request for Continued Examination* and entry of this amendment, claims 1-9 were pending, claims 10-20 were cancelled, and claims 21-37 were withdrawn.

Examiner Interview on October 31, 2005

On October 31, 2005, Examiner Kramer and the undersigned attorney discussed the present *Final Office Action* and Applicants desire to have claims 21-27 examined. The undersigned attorney asserted that claims 21-37 are not drawn to a separate invention from that claimed in claims 1-9. Nonetheless, the undersigned attorney explained that Applicants would file a *Request for Continued Examination* to allow Examiner Kramer to fully consider claims 21-37. Furthermore, Applicants have cancelled claims 1-9 leaving only claims 21-37 pending.

Examiner Kramer indicated in the telephone interview that by filing the *Request for Continued Examination* he would be able to perform a new search and would consider claims 21-37. Applicants respectfully thank Examiner Kramer for his participation in the telephone interview and for his consideration of these claims.

Claim Rejections

Claims 1-9 were initially rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,979,170 to Gilhousen et al. (hereafter "Gilhousen") and the Microsoft Computer Dictionary. By the present *Preliminary Amendment to RCE*, claims 1-9 are cancelled and thus the present rejection is moot. The Applicant respectfully submits that claims 1-9 were cancelled and replaced by claims 21-37 in order to more clearly articulate the present invention. The Applicants respectfully submit that the cancellation of claims 1-9 is not intended as an admission that the claims are unpatentable with respect to the prior art. While claims 1-9 are no

longer pending and claims 21-37 have not been formally considered by Examiner Kramer, Applicants respectfully submit that Gilhousen does not teach or suggest each and every element of the present invention as described in claims 21-37.

Gilhousen is directed towards a particular data transmission scheme, namely an alternating sequential half duplex communication system. This transmission system could be used in a variety of environments, but the Gilhousen disclosure does not teach each and every element of the present invention as claimed. The present invention, as claimed, is directed to a system for monitoring mobile assets to collect data and make decisions concerning each of the assets. Specifically, claim 21 includes the limitations of (1) an asset monitor, for each of a plurality of mobile assets, operable to collect asset data based on events and input at the mobile asset, summarize the collected asset data, make decisions concerning operation of the mobile asset in view of the collected asset data, and wirelessly communicate the summarized asset data; (2) a management computer for processing and storing the summarized asset data for the plurality of mobile assets in a relational database format; and (3) a wireless communications infrastructure interconnecting the management computer to each of the mobile assets, the infrastructure including a plurality of local monitor nodes each storing summarized asset data in a relational database format for at least a portion of the plurality of mobile assets that is at least a partial replica of the summarized asset data stored by the management computer. Gilhousen does not disclose or suggest an asset monitor as claimed, nor does it specifically teach the claimed management computer or wireless communications infrastructure.

Therefore, Applicants respectfully submit that the rejections should be withdrawn and that claims 21-37 are in condition for allowance.

Docket Number and Change in Correspondence Address

Applicant respectfully requests the docket number of this Application to be changed from 58886-00006USPT to IDS3CON. The prosecution of this Application has been transferred to a new law firm, and its docketing procedures would benefit with this new docket number. A *Power of Attorney and Correspondence Address Indication Form* to the present firm is filed concurrently in the USPTO to reflect that the new law firm is now prosecuting this Application.

U.S. Patent Application Serial No. 10/043,361

Applicant: Ehrman, et al.

FEES

Through the present *Preliminary Amendment to the RCE*, nine claims were canceled and no claims were added. Thus, no additional claims fees are due. However, the Commissioner is authorized to debit deposit account No. 20-1507 for any required fees.

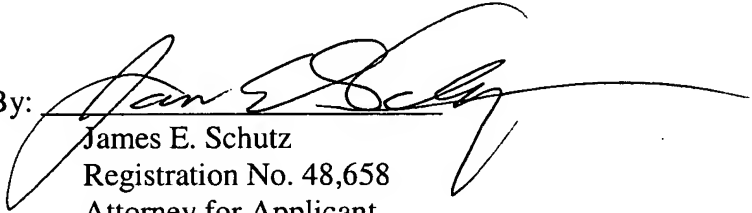
CONCLUSION

The foregoing is submitted as a full and complete response to the *Final Office Action* mailed September 21, 2005. It is respectfully submitted that claims 21-37 are in condition for allowance and that each point raised in the *Final Office Action* with regard to these claims has been fully addressed. Therefore, it is respectfully requested that the rejections be withdrawn and that the case be processed to issuance in accordance with Patent Office Business.

If the Examiner believes that there are any issues that can be resolved by a telephone conference, or that there are any informalities that can be corrected by an Examiner's amendment, please contact James Schutz at 404.885.3498.

Respectfully submitted,

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